

**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

Kansas Department of Health and Environment  
Agency.

Susan Vogel  
Agency Contact

296-1291  
Contact Phone Number

K.A.R. 28-24-1 through 28-24-14

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

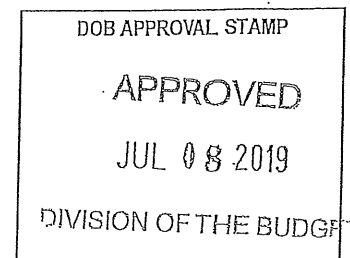
**I. Brief description of the proposed rule(s) and regulation(s).**

The proposed regulations are sanitary standards that apply to cosmetology, including nail technology and esthetics, electrology and tanning establishments. The regulations are necessary updates to the health and sanitation compliance and to prevent infectious and contagious diseases within each establishment.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)***

The proposed regulations align with Federal regulation of public safety standards regarding health and sanitation.

Rules and regulations of contiguous states are similar in nature with little or no difference in the approach in these proposed regulations. Please see below.



	Missouri	Oklahoma	Nebraska	Colorado
<b>Definitions</b>	NONE related to infection control	NONE related to infection control	Disinfectant means an EPA-registered hospital grade disinfectant that is proven effective against HIV-1, Hepatitis B, or Tuberculocidal, used in accordance with the manufacturer's instructions for mixing and immersion. Disinfection means cleansing to remove agents of infection, disease, or infestation by insects or vermin, and soil, dust, or foreign material. Wet-sanitizer means a closed receptacle which holds the disinfectant solution.	Cleaning is not disinfection, but means to physically remove all visible debris by: brushing by hand; Washing or scrubbing with liquid soap, detergent, or antiseptic; Laundering in a washing machine or dishwasher with detergent; Using an ultrasonic cleaner; Using a solvent; or Other adequate methods Disinfection is not cleaning, but is the use of chemicals that Destroy pathogens on implements and other nonliving surfaces that renders an item safe for handling, use, and disposal. Multi-use items are items constructed of hard non-porous materials with smooth surfaces such as metal, glass, or plastic; cloth towels and linens capable of being laundered; and typically can be used on more than one client.
<b>Disinfectant</b>	An Environmental Protection Agency (EPA)-registered disinfectant, which may be a spray solution. The label on the disinfectant shall show that it is EPA-registered with	All disinfection immersion liquid must be changed daily or sooner if visibly contaminated. Disinfectants for use by cosmetology establishments and	The disinfectant solution remains covered at all times. The disinfectant solution is changed whenever visibly cloudy or dirty but no less often than once a week; and Follow manufacturer's directions for mixing. Formaldehyde	Appropriate disinfectants include: EPA-registered hospital disinfectants used according to manufacturer's instructions; Bleach solution mixed daily

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	demonstrated bactericidal (disinfectant), virucidal, and fungicidal activity and shall be used according to the manufacturer's instructions.	schools shall be used only if registered with the Environmental Protection Agency (EPA) for use as a disinfectant to achieve its intended purpose in accordance with the product label. / EPA registered spray disinfectant with oil base allowed for use on sharp/cutting edge items when used as instructed on manufacturers label/"Each cosmetology establishment shall have in use at all times, at least one (1) dry and one (1) wet sanitizer for the purpose of sanitizing combs, brushes and other implements after each use.	vapor, ultra- violet ray treatment procedures; alcohol, bleach or hydrogen peroxide are not acceptable disinfectants	at a minimum standard of 3/4 cup of bleach per gallon of water with a contact time of 10 minutes; 70% isopropyl alcohol with a contact time of 10 minutes /70%-85% ethyl alcohol with a contact time of 10 minutes.
<b>Tuberculocidal</b>	NO	NO	NO	NO
<b>Non-electrical implement procedure</b>	Implements and instruments shall be sanitized after use on each patron. All implements (instruments or tools) used in cosmetology establishments and schools, including scissors, clips, blades, rods, brushes, combs, etc. shall be thoroughly cleansed after each use. All implements which may come in contact directly or indirectly with the skin of the patron shall be disinfected with an	All items shall be cleaned/sanitized by removing all visible debris from an item or surface by using soap/water or a cleaning agent / Items shall be rinsed thoroughly in plain water /Items shall be placed in a wet sanitizer, which is a large, pan-type container which may be of plastic, enamel, stainless steel, or rubber and shall be fully immersed in an EPA approved disinfectant prepared according	The owner must ensure that all implements are disinfected before use on a client by using the following procedures. Cosmetologists, estheticians, and students/apprentices must comply with the following requirements. Immersion Disinfection: Remove foreign matter; Wash hands with liquid soap and water or an instant hand sanitizer; Wash implement with hot water and soap to remove all traces of soil; Thoroughly rinse in water to remove all traces of soap. Place the implement in an EPA-registered	Appropriate disinfecting methods are: *Disinfection by complete immersion where the entire item, implement, or surface is covered by the disinfectant for 10 minutes or according to manufacturer's instructions *Disinfection by spraying where the entire item, implement, or surface is sprayed with the disinfectant to stay moist for 10 minutes or according to

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	Environmental Protection Agency (EPA)-registered disinfectant, which may be a spray solution. All implements shall be completely immersed in the solution or, if not capable of immersion, thoroughly dipped in the solution for a period of not less than five (5) minutes	to manufacturer's directions. The items must stay immersed for full contact time according to manufacturer's instructions in order that item or surface stays moist with disinfection for all pathogens listed on the label to be effectively destroyed. Combs may be disinfected in a cylinder jar by immersing in an EPA approved disinfectant prepared according to manufacturer's directions	hospital grade disinfectant, prepared according to the directions on the label. The disinfectant must be proven effective against HIV-1, Hepatitis B, or Tuberculocidal; The disinfectant solution must be deep enough to cover implements totally; and The implements must stay in the disinfectant solution for ten minutes or more; Before removing the sanitized implement(s), wash hands with liquid soap and water or an instant hand sanitizer; Rinse the implement(s) in water; Air-dry on a sanitary surface, dry with a clean sanitized towel, or dry with an electric air sanitizer . Spray Disinfection: Metal implements may be sprayed. Remove foreign matter; Wash hands with liquid soap and water or an instant hand sanitizer; Spray implement until it is totally saturated with an EPA-registered disinfectant that is proven effective against HIV-1, Hepatitis B, or Tuberculocidal.	manufacturer's instructions.  Multi-use equipment, implements, or materials ("multi-use items") not addressed in this rule shall be cleaned and disinfected immediately after each client. Immediately after each client, the following implements shall be brushed or wiped clean and sprayed with an appropriate disinfectant: Haircutting shears; Thinning shears; Straight razors and razor shapers; and Clippers and edgers. After each client, the following implements shall be cleaned and disinfected by complete immersion or stored in a container for soiled or dirty items until the implements can be cleaned and disinfected at the end of the day: Sectioning clips and clippies; Rods and rollers; and Combs, brushes, and picks. End of day, all items wiped or sprayed must be fully immersed
<b>Electrical Implements</b>	Not Specifically addressed		Electrical appliances that come in contact with a client's hair or skin generally are disinfected by the following method: Remove all foreign matter;	Electrical equipment that cannot be immersed in liquid shall be brushed or wiped clean and sprayed

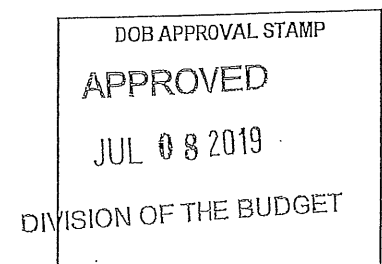
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			Spray with an EPA-registered disinfectant that is proven effective against HIV-1, Hepatitis B, or Tuberculocidal; and Wipe dry with a clean towel.	with an EPA-registered hospital disinfectant; isopropyl alcohol; ethyl alcohol; or bleach solution immediately after each client.
<b>Storage</b>	Implements shall either be stored in the solution or removed and stored in a dust-tight cabinet, covered container, or drawer at all times when not in use. The dust-tight cabinet, covered container, or drawer shall be kept free of other items not capable of being disinfected. Implements shall be permitted to air dry.		Store disinfected implements in a clean enclosed cabinet or covered container reserved for clean implements. Cabinets, drawers, containers used for storage of implements and towels are clean. Implements that have been used on a client or soiled in any manner are placed in a properly labeled covered receptacle until disinfected; Sanitized implements are stored in a clean closed container or drawer until used;	*All clean and disinfected implements and materials when not in use shall be stored in a clean dry container, or other sanitary manner, that is separate from soiled implements and materials Storage of Tools, Implements, and Supplies. Clean and disinfected tools, implements, supplies and other items, when not in use, shall be stored in a clean manner or container separate from soiled or dirty items. Soiled or dirty tools, implements, supplies and other items shall be stored in a container separate from clean items until such time it is cleaned and disinfected.
<b>Prohibited</b>	No cosmetology licensee shall provide any cosmetology services that involve the use of any liquid product containing methyl methacrylate (MMA). Licensees are responsible for ensuring that their nail service	MMA, Styptic pencils and lump alum are prohibited	Sable or fabric neck dusters or brushes (cosmetic brushes are acceptable); Styptic pencils; and Cabinet fumigants. Formaldehyde vapor, ultra- violet ray treatment procedures, alcohol, bleach or hydrogen peroxide are not acceptable disinfectants	*Licensees shall not use any product or supply that has been banned, deemed to be poisonous, unsafe for use in the barbering and cosmetology industry, or not approved by the United States Food and Drug Administration



	<p>products do not contain MMA as a monomer agent for cosmetic nail applications or any other purpose.</p> <p>A licensee shall not use or offer to use in the performance of cosmetology services, or possess on the premises of a licensed establishment, any razor-type callus shaver designed or intended to cut growths of skin on hands or feet such as corns and calluses including, but not limited to, a credo blade or similar type instrument.</p>			<p>(FDA) or other local, state or federal governmental agencies responsible for making such determinations.</p> <p>Possession or storage of any item deemed poisonous, unsafe, or banned by the FDA or other governmental agency shall be considered prima facie evidence of use</p> <p>*Methyl Methacrylate Liquid Monomers, a.k.a., MMA; and</p> <p>*Razor-type callus shavers designed and intended to cut growths of skin such as corns and calluses.</p>
<p><b>Lotions, creams, etc. (Products)</b></p>	<p>Storage and Use of Powders, Creams, Emollients, Etc. For areas where all classified occupations of cosmetology are practiced, including retail cosmetic sales counters, open powder boxes and common powder puffs are forbidden. Powder must be used from shakers or other similar dispensing devices. Creams, emollients, and the like shall be removed from containers with clean, sanitized spatulas or may be dispensed on a sterile cotton swab.</p>	<p>Lotion, powder or water must be dispensed from a shaker or bottle /Creams and semi-solids must be removed from container with a spatula</p>	<p>All liquids, cosmetics, creams, gels, pastes, powders, and other products are kept in clean, closed containers; Original product bottles and containers have an original manufacturer label, which discloses their contents; When only a portion of the product is to be used on a client, the product is removed from the container by a spatula, scoop, spoon, or dropper so that the product does not come in direct contact with the client and to assure the remaining product is not contaminated; and If a product is poured into another container, such as a shaker, dispenser pump container, or spray container, the container is</p>	<p>Items subject to possible cross contamination by re-dipping into a multi-use container such as creams, cosmetics, astringents, lotions, removers, waxes including paraffin wax, moisturizers, masks, and oils shall be used in a manner so as not to contaminate the remaining product. Any product that becomes contaminated shall be discarded after use on that particular client. Permitted procedures to avoid cross contamination</p>

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	All containers shall be covered when not in use.		labeled to identify the product.	are: *Removing and placing the product into a smaller container for use on the client and then disposing of the product remaining in the smaller container after the service *Using a single-use disposable implement such as a wooden spatula to remove the product from the container and disposing of such implement after application of the product on the client *Using a clean applicator bottle to apply the product
<b>Pedicure/Manicure</b>	Not specifically addressed	Manicuring bowls, brushes, and other washable items shall be cleaned and sanitized after each use and shall be kept in a closed area, free from contamination, when not in use. (c) Manicuring instruments, tweezers, and other non-metal implements shall be cleaned and sanitized. Implements shall be sanitized using an EPA registered product. Sanitized implements shall be stored in a sealed plastic bag or must remain in a dry closed/covered/light sanitizer (drawer, cabinet or box-type) until ready for use on next patron. At	The owner must ensure that all cosmetologists who provide manicuring or nail technology services follow 172 NAC 34.	Pedicure Bowls: Clean& disinfect (Spray) bowls after each client / disinfect (circulating) at end of day Tools: Immediately after each client, the following multi-use implements shall be cleaned to remove all visible debris and disinfected by complete immersion in an appropriate disinfectant in accordance with this rule: (a) Metal and hard plastic nail pushers; (b) Non-porous and plastic nail files; (c) Cuticle nippers; (d) Tweezers; (e) Nail and dusting brushes; (f) Fingernail clippers;

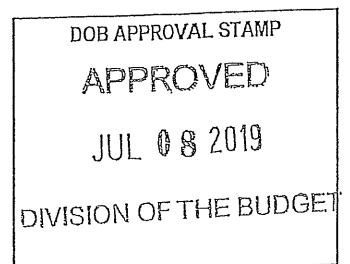
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		<p>least two (2) sets of manicuring implements shall be maintained for each practicing manicurist in order that one set is appropriately sanitized for use on each patron. Pedicure equipment is a unit that holds water for a pedicure service, including whirlpool spas, 'pipe-less' units, footbaths, basins, tubs, sinks and bowls which shall be cleaned by scrubbing surface with a brush, using an enzymatic or surfactant detergent (soap) and water. After cleaning, pedicure equipment, tools and implements shall be disinfected by using an EPA-registered disinfectant</p>		<p>(g) Electric file diamond, carbide, natural, and metal bits; and (h) Metal and plastic spatulas. Immediately after each client, the following single-use implements shall be discarded in a trash container: (a) Orangewood stick; (b) Cotton balls; (c) Nail wipes; (d) Tissues; (e) Paper towels; (f) Emery boards or porous nail files; (g) Buffer blocks; (h) Disposable gloves; (i) Electric file sanders, arbor b</p>
<b>Laundry</b>	<p>*Clean towels shall be used for each patron. * A closed cabinet or drawer shall be provided for clean towels and linens. *Soiled towels shall be placed in a close able, leak-proof container immediately upon completion of use.</p>	<p>*Clean towels shall be used for each patron. *Clean towels and other linens shall be kept in a closed area that is free from contamination. *A suitable hamper-type container shall be provided for soiled towels. *The headrest of the facial chair shall be covered with a clean towel for each patron. *An appropriate supply of clean towels, linens and neck strips shall be</p>	<p>Laundry facilities are clean, including the washer and dryer, it has a closed receptacle in which to store soiled towels; and the equipment is used for the establishment laundry only, not personal items. Used/Soiled Towel/Linen Storage: Cloth towels/linens are deposited in a closed receptacle after use; Used/soiled cloth towels/linens are not used again until properly laundered and sanitized; and Disposable towels are discarded in a closed waste receptacle, with a plastic</p>	<p>Not specifically addressed</p>





		maintained in the Establishment.	liner, immediately following each cosmetology or esthetics service. Cloth towels are laundered either: By regular commercial laundering; or By a noncommercial laundering process which includes immersion in water at 140 degrees Fahrenheit for not less than 15 minutes during the washing or rinsing operation Clean Towel/Linen Storage: All clean towels/linens are stored in a clean, enclosed cabinet or container until used; and All disposable towels are stored in a clean, enclosed cabinet or container until used.	
<b>Communicable Diseases</b>	Disease Control: Except as otherwise provided by the Americans With Disabilities Act, a licensee, apprentice, student, or retail cosmetic salesperson providing cosmetology services with a communicable disease shall take all proper precautions to prevent the spread of the disease to any person while practicing barbering, cosmetology, or acting as a salesperson. A licensee, apprentice, or student attending a patron known by the licensee, apprentice, or cosmetologist to have a	*Licensees shall use universal precautions (treat blood and other body fluids/materials as if infectious) If a Board licensee, student or apprentice has reason to suspect that a patron is suffering from any communicable or infectious disease, the licensee's hands shall be washed and disinfected. Services shall be discontinued, and patron referred to a physician. *No person in charge of an Establishment or school, if knowingly infected with an infectious, contagious, communicable disease shall work	No person afflicted with an infectious or communicable disease, which may be transmitted during the performance of the acts of cosmetology or esthetics, is permitted to work or train in an establishment. No client known to have an infectious or communicable disease, which may be transmitted during the performance of the acts of cosmetology or esthetics, is permitted to receive cosmetology or esthetics services.	A licensee shall not perform services on a client if the licensee has reason to believe the client has an unhealthy condition; a communicable disease; contagious condition; skin or nail tissue that is inflamed, infected, broken, raised or swollen; or an open wound or sore in the area affected unless the client provides written authorization from a licensed physician

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	communicable disease shall also take all proper precautions to prevent the spread of the disease to any person, except as otherwise provided by the Americans With Disabilities Act. Disposable gloves shall be worn by any licensee, apprentice, or student with open wounds, dermatitis, or other non- intact skin of the hands.	in, nor shall he permit any person infected with communicable disease to work in an Establishment or school. *No licensee, student or apprentice shall massage any person when the surface to be massaged is inflamed or has open cuts, lesions or infection. *If head lice is detected, the licensee, student or apprentice should not proceed with further services and shall wash and disinfect hands. Infected person should be referred to a physician or health clinic.		
<b>Blood Exposure</b>	*Licensee or student must stop service immediately Licensee or student must place disposable gloves on hands; *Cleanse cut area of patron, apply antiseptic and/or liquid styptic or spray styptic, as necessary. Note: Do not allow container or nozzles to touch or contact the wound; use an applicator as appropriate; * Cover cut area with adhesive bandage as indicated; If work area and/or equipment are soiled with blood, licensee or student cosmetologist shall	Not specifically addressed	Procedure a. Stop service for client injury: Scrub licensee/student/apprentice hands with liquid soap and water; Glove hands of licensee/student/apprentice. Change gloves upon contamination, tearing or penetration; Clean client's injured area, as necessary; Apply antiseptic and/or styptic, as necessary; Do not use styptic pencils; Cover with a band aid or liquid sealant; Clean blood spill area; Place all disposable contaminated objects and gloves in a plastic bag; Dispose of plastic bag in covered waste receptacle; Clean hands with liquid soap and water; Clean non-disposable tools with a disinfectant; and Return to service.	An EPA-registered-hospital disinfectant, or a 10% bleach solution, shall be used per manufacturer's instructions to clean up all visible blood or body fluid. Ethyl and isopropyl alcohol is not appropriate. Universal Precautions shall be utilized to clean blood and body fluids. 2. Styptic shall be used to stop minor bleeding with a disposable applicator. 3. If any multi-use instrument is contacted with blood or body fluid, it shall be

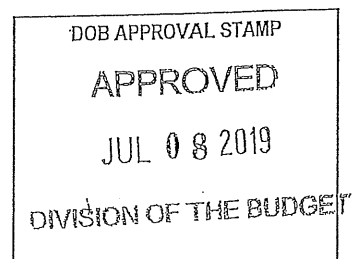
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	disinfect work area and/or blood spill area and dispose of or disinfect all contaminated objects; *Remove and dispose of all contaminated objects and disposable gloves and clean hands with an antimicrobial cleanser.			immediately cleaned and disinfected using an EPA registered-hospital disinfectant or totally immersed in a 10% bleach solution for 10 minutes. 4. If any single-use instrument contacts blood or body fluid, it shall be immediately double-bagged and discarded in a closed trash container or biohazard container.
<b>Hand Washing</b>	Not addressed	Hands of licensee must be washed prior to any service	Prior to every service	*Prior to nail services *Prior to all esthetics services
<b>Wax</b>	Not addressed	Not specifically addressed	Must be "kept clean"	*Section 12-8-103(10.5), C.R.S., limits the scope of waxing by manicurists to the client's leg up to the knee and the arm up to the elbow. The Director considers the hands and feet to be within the scope and appropriate areas for waxing. Hair removal on any other part of the body, such as eyebrows, lips, bikini areas, etc., is not permitted by manicurists and must be performed by licensed cosmetologists or estheticians.  *The use of soft and hard waxes, sugar, depilatories, and tweezers are



				appropriate methods by licensed manicurists to remove superfluous hair.
<b>Makeup/Brushes</b>	All applicators must be single use or disinfected between customers	Not specifically addressed	Not specifically addressed	not specifically addressed
<b>Bleach</b>	Not required- recommend based on water heater temp	Not required	Not required	Not Required,
<b>Notes</b>	<p>*Ample supply of water not to exceed one hundred twenty degrees Fahrenheit (120 °F) at all times.</p> <p>*Headrests shall be covered with a clean towel or paper protector for each usage.</p> <p>*A new laundered towel or neck strip shall be placed around each patron's neck to prevent cape or haircloth from touching skin.</p> <p>*Personal Cleanliness. Every operator, instructor, or instructor trainee shall wear only washable clothing while working in a cosmetology establishment or school. All students and apprentices in any school or cosmetology establishment shall wear washable clothing while in attendance</p>	Any cosmetology licensee who can reasonably anticipate, as the result of performing any cosmetology service, contact with blood and other potentially infectious material, shall wear protective disposable gloves while performing the services. Gloves shall not be re-used and shall be disposed of properly immediately after use.	Single Use: Unused supplies are stored in a clean, enclosed container or drawer; Used/soiled disposable supplies are discarded immediately in a clean, closed waste receptacle with a plastic liner; Washable and disinfectable dusters or brushes, such as plastic or nylon, may be used; No non-washable or non-disinfectable dusters or brushes, such as sable or fabric, are used; Neck strips or a clean towel must be used under a cape in order to prevent the cape from coming into contact with the skin or hair of each client; a sanitized or disposable cape (1 per client) may be used in lieu of neck strips or towels; Supplies and implements which come in direct contact with a client and cannot be disinfected, such as cotton pads, cotton balls, neck strips, orangewood sticks, pads, "Q-tips", sponges, and other similar items, are disposed of in a covered waste receptacle, with a plastic liner, immediately after use.	<p>*Single-use equipment, implements, or materials ("single-use items") not addressed in this rule shall be discarded after each application or service. Single-use items are items made or constructed of paper, wood, or other porous materials usually intended for one application or client service.</p> <p>*Bottles and Containers: All bottles and containers in use shall be distinctly and correctly labeled to disclose their contents. All bottles containing poisonous or caustic substances shall be additionally and distinctly marked as such and shall be stored in an area not open to the public. All poisonous or caustic substances shall be stored according to manufacturer's instructions.</p>

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**III. Agency analysis specifically addressing following:**

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

The Kansas Board of Cosmetology (KBOC) is required by statute to inspect cosmetology, electrology and tanning establishments to protect the health and safety of the consuming public. The proposed regulations are an update resulting from industry standards and product availability and will not enhance or restrict business activities and growth.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The proposed regulations will potentially have implementation and compliance costs for licensed facility owners and/or licensed practitioners of approximately \$47,252.60 annually (see paragraph III. F.). The types of disinfectants used will determine potential costs on the facility owners. There are no implementation and compliance costs for utility ratepayers, individuals and local governments.

- C. Businesses that would be directly affected by the proposed rule and regulation;**

As of June 30, 2018, there were 4,240 licensed cosmetology (including nail technology, esthetic and electrology) facilities, 27 licensed schools and 24,778 licensed practitioners within the same professions that would be directly affected by these regulations. Practitioners are required to provide services in licensed facilities.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

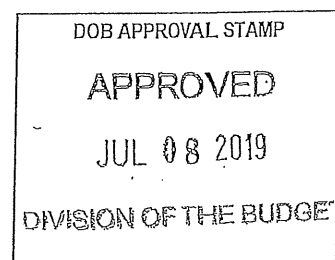
The benefits of the proposed changes to these regulations will fulfill the mission to protect the health and safety of the consuming public by licensing qualified individuals and enforcing standards of practice. The regulations have not been updated since 2007 and the proposed changes align closely with laws enforced by contiguous states.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

All proposed regulations were communicated to licensees through surveys and responses to the surveys were discussed at Board meetings.

- F. An estimate, expressed as a total dollar figure, of the annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

The total annual implementation and compliance costs will be approximately \$46,872.00.



An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

The annual implementation and compliance costs will be approximately \$46,872.00 for each of the first five years. Therefore, the implementation and compliance costs will be \$93,744.00 in any two-year period.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES ☐ NO ☒

**Give a detailed statement of the data and methodology used in estimating the above cost estimate.**

There are several variables that affect the total dollar figure for each licensed establishment. The board anticipates the biggest expense that will be most costly to licensed establishments and schools is to require disinfection of surfaces that come into contact with consumers. Current regulation only requires those surfaces to be cleaned. A disinfectant wipe is costlier than a cleaning wipe.

	Facility Type	
	Schools	Establishments
Number of Licensed Facilities	27	4313
Avg. Wipes/Month	30	30
\$ Increase/Wipe	\$0.03	\$0.03
\$ Monthly Increase	\$0.90	\$0.90
\$ Yearly Increase Per Licensed Facility	\$10.80	\$10.80
<b>Total Annual Implementation</b>	<b>Approximately \$46,872.00</b>	

The Board also anticipates this total to be offset by the removal of a required disinfectant with tuberculocidal activity. Additionally, the Board does not require or recommend a specific brand of disinfectant to be used. Licensed schools and establishments have the option to buy higher priced disinfectants or use regular chlorine bleach as a universal disinfectant within the licensed school or establishment.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held; those in attendance, and any pertinent information from the hearing.**

YES ☐ NO ☒

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- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

The proposed amended regulations will have no effect on the cities, counties or school districts within the state. However, when the notice of hearing for these regulations is published in the *Kansas Register*, standard agency procedure will be followed and the three organizations will be contacted electronically for comment with attached copies of the regulations, economic impact statement and published notice of hearing.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

KBOC kept the regulated community informed and obtained information as part of the development of regulations through responses from surveys, invited the regulated community to attend Board meetings, conversations at Board meetings and provided information on the KBOC website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

N/A

